United Nations S/2001/1093

Security Council

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Draft resolution

The Security Council,

Recalling its resolution 1314 (2000) of 11 August 2000,

Further recalling its resolutions 1261 (1999) of 28 August 1999, 1265 (1999) of 17 September 1999, 1296 (2000) of 19 April 2000, 1306 (2000) of 5 July 2000, 1308 (2000) of 17 July 2000 and 1325 (2000) of 31 October 2000 and the statements of its President of 29 June 1998 (S/PRST/1998/18), 12 February 1999 (S/PRST/1999/6), 8 July 1999 (S/PRST/1999/21), 30 November 1999 (S/PRST/1999/34), 20 July 2000 (S/PRST/2000/25) and of 31 August 2001 (S/PRST/2001/21),

Recognizing the harmful and widespread impact of armed conflict on children and the long-term consequences this has for durable peace, security and development,

Bearing in mind the purposes and principles of the Charter of the United Nations and *recalling* the primary responsibility of the Security Council for the maintenance of international peace and security and, in this connection, its commitment to address the impact of armed conflict on children,

Underlining the need for all parties concerned to comply with the provisions of the Charter of the United Nations and with international law, in particular those regarding children,

Having considered the report of the Secretary-General of 7 September 2001 on the implementation of resolution 1314 (2000) on children and armed conflict,

1. *Expresses*, accordingly, its determination to give the fullest attention to the question of the protection of children in armed conflict when considering the matters of which it is seized;

2. *Expresses* its readiness explicitly to include provisions for the protection of children, when considering the mandates of peacekeeping operations, and reaffirms, in this regard, its readiness to continue to include, where appropriate, child protection advisers in peacekeeping operations;

3. *Supports* the ongoing work of the Secretary General, the Special Representative of the Secretary-General for Children and Armed Conflict, the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees, the Office of the United Nations High Commissioner for Human Rights, other agencies of the United Nations system and other international organizations dealing with children affected by armed conflict;

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4. *Expresses* its intention, where appropriate, to call upon the parties to a conflict to make special arrangements to meet the protection and assistance requirements of women, children and other vulnerable groups, including through the promotion of "days of immunization" and other opportunities for the safe and unhindered delivery of basic necessary services;

5. *Underlines* the importance of the full, safe and unhindered access of humanitarian personnel and goods and the delivery of humanitarian assistance to all children affected by armed conflict;

6. *Expresses* its intention to consider taking appropriate steps, in accordance with the Charter of the United Nations, to address the linkages between armed conflict and terrorism, the illicit trade in precious minerals, the illicit trafficking in small arms and light weapons, and other criminal activities, which can prolong armed conflict or intensify its impact on civilian populations, including children;

7. *Undertakes* to consider, as appropriate when imposing measures under Article 41 of the Charter of the United Nations, the economic and social impact of sanctions on children, with a view to providing appropriate humanitarian exemptions that take account of their specific needs and their vulnerability and to minimize such impact;

8. *Calls upon* all parties to armed conflict to:

(a) Respect fully the relevant provisions of applicable international law relating to the rights and protection of children in armed conflict, in particular the Geneva Conventions of 1949 and the obligations applicable to them under the Additional Protocols thereto of 1977, the United Nations Convention on the Rights of the Child of 1989, the Optional Protocol thereto of 25 May 2000, and the amended Protocol II to the Convention on Prohibition or Restriction on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, the International Labour Organization Convention No. 182 on the Elimination of the Worst Forms of Child Labour and the Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, and notes the inclusion as a war crime in the Rome Statute of the conscription or enlistment of children under the age of fifteen years into the national armed forces or using them to participate actively in hostilities;

(b) Provide protection and assistance to refugees and internally displaced persons, the majority of whom are women and children, in accordance with applicable international norms and standards;

(c) Take special measures to promote and protect the rights and meet the special needs of girls affected by armed conflict, and to put an end to all forms of violence and exploitation, including sexual violence, particularly rape;

(d) Abide by the concrete commitments they have made to the Special Representative of the Secretary-General for Children and Armed Conflict, as well as relevant United Nations bodies, to ensure the protection of children in situations of armed conflict;

(e) Provide protection of children in peace agreements, including, where appropriate, provisions relating to the disarmament, demobilization, reintegration

and rehabilitation of child soldiers and the reunification of families, and to consider, when possible, the views of children in those processes;

9. *Urges* Member States to:

(a) Put an end to impunity, prosecute those responsible for genocide, crimes against humanity, war crimes, and other egregious crimes perpetrated against children and exclude, where feasible, these crimes from amnesty provisions and relevant legislation, and ensure that post-conflict truth-and-reconciliation processes address serious abuses involving children;

(b) Consider appropriate legal, political, diplomatic, financial and material measures, in accordance with the Charter of the United Nations, in order to ensure that parties to armed conflict respect international norms for the protection of children;

(c) Consider, where appropriate, measures that may be taken to discourage corporate actors, within their jurisdiction, from maintaining commercial relations with parties to armed conflicts that are on the Security Council's agenda, when those parties are violating applicable international law on the protection of children in armed conflict;

(d) Consider measures against corporate actors, individuals and entities under their jurisdiction that engage in illicit trade in natural resources and small arms, in violation of relevant Security Council resolutions and the Charter of the United Nations;

(e) Consider ratifying the Optional Protocol to the Convention on the Rights of the Child on Involvement of Children in Armed Conflict and the International Labour Organization Convention No 182 on the Elimination of the Worst Forms of Child Labour;

(f) Consider further steps for the protection of children, especially in the context of the International Decade for a Culture of Peace and Non-violence for the Children of the World (2001-2010);

10. *Requests* the Secretary-General to:

(a) Take the protection of children into account in peacekeeping plans submitted to the Security Council, inter alia, by including, on a case-by-case basis, child protection staff in peacekeeping and, as appropriate, peace-building operations and strengthening expertise and capacity in the area of human rights, where necessary;

(b) Ensure that all peacekeeping personnel receive and follow appropriate guidance on HIV/AIDS and training in international human rights, humanitarian and refugee law relevant to children;

(c) Continue and intensify, on a case-by-case basis, monitoring and reporting activities by peacekeeping and peace-building support operations on the situation of children in armed conflict;

11. *Requests* the agencies, funds and programmes of the United Nations to:

(a) Coordinate their support and assistance to parties to armed conflict in fulfilling their obligations and commitments to children;

(b) Take account of ways of reducing child recruitment that is contrary to accepted international standards when formulating development assistance programmes;

(c) Devote particular attention and adequate resources to the rehabilitation of children affected by armed conflict, particularly their counselling, education and appropriate vocational opportunities, as a preventive measure and as a means of reintegrating them into society;

(d) Ensure that the special needs and particular vulnerabilities of girls affected by armed conflict, including those heading households, orphaned, sexually exploited and used as combatants, are duly taken into account in the design of development assistance programmes, and that adequate resources are allocated to such programmes;

(e) Integrate HIV/AIDS awareness, prevention, care and support into emergency, humanitarian, and post-conflict programmes;

(f) Support the development of local capacity to address post-conflict child rehabilitation and reintegration concerns;

(g) Promote a culture of peace, including through support for peace education programmes and other non-violent approaches to conflict prevention and resolution, in peace-building activities;

12. *Encourages* the international financial institutions and regional financial and development institutions to:

(a) Devote part of their assistance to rehabilitation and reintegration programmes conducted jointly by agencies, funds, programmes and State parties to conflicts that have taken effective measures to comply with their obligations to protect children in situations of armed conflict, including the demobilization and reintegration of child soldiers, in particular those who have been used in armed conflicts contrary to international law;

(b) Contribute resources for quick-impact projects in conflict zones where peacekeeping operations are deployed or are in the process of deployment;

(c) Support the efforts of the regional organizations engaged in activities for the benefit of children affected by armed conflict, by providing them with financial and technical assistance, as appropriate;

13. *Urges* regional and subregional organizations and arrangements to:

(a) Consider establishing, within their secretariats, child protection mechanisms for the development and implementation of policies, activities and advocacy for the benefit of children affected by armed conflict, and consider the views of children in the design and implementation of such policies and programmes where possible;

(b) Consider including child protection staff in their peacekeeping and field operations and provide training to members of such operations on the rights and protection of children;

(c) Take steps leading to the elimination of cross-border activities deleterious to children in times of armed conflict, such as the cross-border recruitment and abduction of children, the sale of or traffic in children, attacks on

camps and settlements of refugees and internally displaced persons, the illicit trade in precious minerals, the illicit trafficking in small arms and light weapons, and other criminal activities;

(d) Develop and expand regional initiatives to prevent the use of child soldiers in violation of international law and to take appropriate measures to ensure the compliance by parties to armed conflict with obligations to protect children in armed conflict situations;

14. *Requests* the Secretary-General to continue to include in his written reports to the Council on conflict situations his observations concerning the protection of children and recommendations in this regard;

15. *Requests* the Secretary-General to submit a report to the Council by 31 October 2002 on the implementation of this resolution and of resolutions 1261 (1999) and 1314 (2000);

16. *Requests* the Secretary-General to attach to his report a list of parties to armed conflict that recruit or use children in violation of the international obligations applicable to them, in situations that are on the Security Council's agenda or that may be brought to the attention of the Security Council by the Secretary-General, in accordance with article 99 of the Charter of the United Nations, which in his opinion may threaten the maintenance of international peace and security;

17. *Decides* to remain actively seized of this matter.